

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Richard H. Harvey

Serial No. : 09/721,806

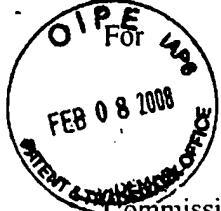
2008 FEB 12 PM 4:29
[20]

Date Filed : November 24, 2000

METHOD AND APPARATUS FOR OPERATING A DATABASE

1185 Avenue of the Americas
New York, N.Y. 10036

Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450Attention: Refund Section,
Accounting Division, Office of Finance**SECOND REQUEST FOR REFUND**

Sir:

A printout of the Deposit Account Statement for April 2007 for the firm Cooper & Dunham LLP (Deposit Acct. No. 03-3125) indicates that on April 9, 2007, the account was debited for \$200.00 relating to the above-identified application Serial No: 09/721,806. A copy of the Deposit Account Statement for April 2007 highlighted to show the debit in question is attached. It is believed that the \$200.00 fee corresponds to the "USPTO Sales Receipt for Accounting Date: 04/09/2007, a copy of which is also attached. This fee was apparently charged in response to a Response Pursuant to 37 C.F.R. 1.116 filed on April 2, 2007. Copies of pages 1 and 18 of the Response are attached herewith (e.g., See page 18 of the Response).

It is noted that pursuant to the Revocation of Attorney dated September 6, 2005 (copy attached), Cooper & Dunham LLP no longer represents this client. A copy of the Notice of Acceptance of Power of Attorney is also submitted herewith.

It is believed that the Cooper & Dunham LLP Deposit Account was erroneously charged this \$200.00 fee and that it should instead be charged to the new Firm of record, Baker Botts LLP

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Richard F. Jaworski
Reg. No. 33,515

Date

Feb. 6, 2008

Richard H. Harvey, S.N. 09/721,806

Page 2

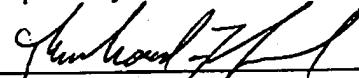
Dkt. No. 655/63676

(Deposit Account 02-0384).

Prompt correction of this error and a credit of \$200.00 to the Deposit Account No. -03-3125
is respectfully requested.

Any questions regarding this Request may be addressed to the undersigned attorney.

Respectfully submitted,


RICHARD F. JAWORSKI, Reg. No. 33,515
Attorney for Applicants
Cooper & Dunham LLP
Tel.: (212) 278-0400



United States
Patent and
Trademark Office

655/63676



Deposit Account Statement

Requested Statement Month: April 2007
Deposit Account Number: 033125
Name: COOPER & DUNHAM LLP
Attention:
Address: 1185 AVENUE OF THE AMERICAS
City: NEW YORK
State: NY
Zip: 10036
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEES CODE	AMT	BAL
04/02 3	PCT/US07/05169	8206/74262-A-PCT	1602	\$700.00	\$49,709.00
04/02 5	PCT/US07/05169	8206/74262-A-PCT	8007	\$40.00	\$49,669.00
04/02 3	10236217	2271/68004	1202	\$100.00	\$49,569.00
04/02 55	11729048	1168/76125	1202	-\$200.00	\$49,769.00
04/02 58	11729048	1168/76125	1201	\$200.00	\$49,569.00
04/03 98	10062308	77335/JPW/JSW	8001	\$39.00	\$49,530.00
04/03 191	11549347	1157/F6, 37	8021	\$40.00	\$49,490.00
04/03 82	11657784	77444/JPW/CH	8021	\$40.00	\$49,450.00
04/03 84	11528237	72193-A/JPW/GAG	8021	\$40.00	\$49,410.00
04/03 88	10213579	2271/67693	8001	\$15.00	\$49,395.00
04/03 149	PCT/US07/004884	75212-PCT/JPW/YC	8021	\$40.00	\$49,355.00
04/03 749	60903067	78073/CCD/RSM	8021	\$40.00	\$49,315.00
04/04 1	10421614	69335 CCD	1201	\$1,000.00	\$48,315.00
04/04 38	11549347	2587/76687/RDK	2251	\$60.00	\$48,255.00
04/04 37	11549347	2587/76687/RDK	2051	\$65.00	\$48,190.00
04/04 38	11649587	2587/77337	2051	\$65.00	\$48,125.00
04/04 27	5958409	1151/45424-267-1-4	9204	-\$1,150.00	\$49,275.00
04/05 335	11664309	1175/77716	8021	\$40.00	\$49,235.00
04/05 215	2504176	1922/26568/NHZ	8521	\$40.00	\$49,195.00
04/05 216	2504176	1922/26568/NHZ	8522	\$100.00	\$49,095.00
04/05 1	11506772	01198-25047.NP	1251	-\$120.00	\$49,215.00
04/05 10	78457079	2392-72677	7001	-\$670.00	\$49,885.00
04/05 11	78457079	2392-72677	7001	\$335.00	\$49,550.00
04/05 12	78978376	2392-72677	7001	\$335.00	\$49,215.00
04/06 521	77149852	2257-77301A	7001	\$325.00	\$48,890.00
04/06 9	10666486	1784/53661-AA	1254	\$100.00	\$48,790.00
04/06 1386	77150352	0706/77726	7001	\$325.00	\$48,465.00
04/06 1547	77150437	6729/77635/NHZ	7001	\$325.00	\$48,140.00
04/06 187	09464902	57906-AJPW/S	8001	\$39.00	\$48,101.00
04/09 51	097218080	063170-6600	1201	\$200.00	\$47,901.00
04/09 89	09767578	55099-B/JPW/KRD	8001	\$39.00	\$47,862.00
04/09 13	1990095	11729048	6205	\$100.00	\$47,762.00
04/10 40	11726942	77383/JPW/CH	8021	\$40.00	\$47,722.00

ENTD APP 3 (1/2007)

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 04/09/2007

JGAYNOR SALE #00000004 Mailroom Dt: 04/02/2007 033125 09721806
01 FC : 1201 200.00 DA



09/721806

Approved for use through 7/31/2008. OMB 0411-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

APPLICATION AS FILED - PART I (Column 1) (Column 2)			SMALL ENTITY		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEES (\$)	RATE (\$)	FEES (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))						
SEARCH FEE (37 CFR 1.1601(b), or (d))						
EXAMINATION FEE (37 CFR 1.16(c), (d), or (e))						
TOTAL CLAIMS (37 CFR 1.16(f))	minus 20 =	*	X =		X =	
INDEPENDENT CLAIMS (37 CFR 1.16(g))	minus 3 =	*	X =		X =	
APPLICATION SIZE FEE (37 CFR 1.16(h))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(e)(1)(G) and 37 CFR 1.16(j).					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))						
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL	

APPLICATION AS AMENDED - PART II

1/22/07

AMENDMENT A (Column 1) (Column 2) (Column 3)			SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(g))	13	Minus 31	X 25 =		X 50 =	
Independent (37 CFR 1.16(g))	6	Minus 10	X 100 =		X 200 =	
Application Size Fee (37 CFR 1.16(i))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
4.2.07			TOTAL ADD'L FEE		TOTAL ADD'L FEE	

AMENDMENT B (Column 1) (Column 2) (Column 3)			SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(g))	31	Minus 31	X 25 =		X 50 =	
Independent (37 CFR 1.16(g))	11	Minus 10	X 100 =		X 200 =	200
Application Size Fee (37 CFR 1.16(i))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
4.2.07			TOTAL ADD'L FEE		TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 2.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the Highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

09/721806

PTO/SB/08 (12-04)

Approved for use through 7/31/2008. GMB 0851-0032
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number	
Substitute for Form PTO-873						
APPLICATION AS FILED - PART I						
(Column 1)		(Column 2)				
FOR	NUMBER FILED	NUMBER EXTRA			SMALL ENTITY	OTHER THAN SMALL ENTITY
BASIC FEE (37 CFR 1.16(q), (s) or (t))					RATE (\$)	FEES (\$)
SEARCH FEE (37 CFR 1.16(q), (s) or (t))						
EXAMINATION FEE (37 CFR 1.16(q), (s) or (t))						
TOTAL CLAIMS (37 CFR 1.16(q))	minus 20 =				X	-
INDEPENDENT CLAIMS (37 CFR 1.16(q))	minus 3 =				X	-
APPLICATION SIZE FEE (37 CFR 1.16(q))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(q))						
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL	
					1/22/07	
APPLICATION AS AMENDED - PART II						
(Column 1)		(Column 2)		(Column 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(q))	13	Minus	31	-	25	
Independents (37 CFR 1.16(q))	10	Minus	10	-	100	
Application Size Fee (37 CFR 1.16(q))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(q))					TOTAL ADD'L FEE	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(q))	31	Minus	31	-	X	
Independents (37 CFR 1.16(q))	10	Minus	10	-	X	
Application Size Fee (37 CFR 1.16(q))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(q))					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independents) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 33 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ATTORNEY DOCKET NO.:

463170.6600

PATENT APPLICATION

09/721,806

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard H. Harvey
Serial No.: 09/721,806
Filing Date: November 24, 2000
Art Unit: 2164
Confirmation No.: 3613
Examiner: Sathyanaraya R. Pannala
Title: *A METHOD AND APPARATUS FOR OPERATING A DATABASE*

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE PURSUANT TO 37 C.F.R. § 1.116

In response to the Final Office Action mailed January 31, 2007, Applicant respectfully requests the Examiner to reconsider the rejection of the claims in view of the comments set forth below.

ATTORNEY DOCKET NO.:
063170.6600

PATENT APPLICATION
09/721,806

18

CONCLUSION

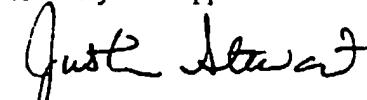
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

If there are matters that can be discussed by telephone to further the prosecution of this Application, Applicant invites the Examiner to call the undersigned attorney at (214) 953-6755 at the Examiner's convenience.

Although no fees are believed due for this response, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Justin N. Stewart
Reg. No. 56,449

Date: April 2, 2007

Correspondence Address:

at Customer No. **05073**



ATTORNEY DOCKET NUMBER
(063170.6600)

21762n
PATENT APPLICATION
Serial No. 09/721,806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard Hans Harvey
Serial No.: 09/721,806
Filing Date: 11/24/2000
Examiner: Sathyanaraya R. Pannala
Conf. No.: 3613
Art Unit: 2176
Title: Method and Apparatus for Operating a Database

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REVOCATION OF ATTORNEY AND APPOINTMENT
OF NEW ATTORNEYS FOR NON-PROVISIONAL APPLICATION, WITH
CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Computer Associates Think, Inc., a Delaware corporation, certifies that it is the assignee in the patent application identified above by virtue of a chain of title from the inventors, of the patent application identified above, to the current assignee as shown below:

From: Richard Hans Harvey
To: Computer Associates Think, Inc.
Assignment recorded at Reel 011925, Frame 0775, on June 21, 2001.

ATTORNEY DOCKET NUMBER
(063170.6600)

PATENT APPLICATION
Serial No. 09/721,806

2

I hereby revoke all prior powers of attorney in the subject application and appoint the following as principal attorneys with full power to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

I hereby appoint: Kevin J. Meek, Esq., and

Practitioners at Customer Number 05073

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Please address all correspondence to the following:

Kevin J. Meek, Esq.

at the above-mentioned Customer No.

Please direct all phones calls to the following:

Kevin J. Meek, Esq.

Direct: (214) 953-6680

I, Barbara Boland, Secretary of Computer Associates Think, Inc., a Delaware corporation, am empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

DAL01:867405.1

ATTORNEY DOCKET NUMBER
(063170.6600)

PATENT APPLICATION
Serial No. 09/721,806

3

Computer Associates Think, Inc.

8/31/05
Date

By:

Barbara Boland
Barbara Boland
Secretary

DAL01:867405.1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Admiral COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO/TITLE
09/721,806	11/24/2000	Richard Hans Harvey	063170.6600

CONFIRMATION NO. 3613

05073
BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

CONFIRMATION NO. 3613
'OC000000017049732'

Date Mailed: 09/19/2005

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/06/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

M. Stephanos
MENBE STEPHANOS
PTOSS (-)

OFFICE COPY

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 04/09/2007

JGAYNOR SALE #00000004 Mailroom Dt: 04/02/2007 033125 09721806
01 FC:1201 200.00 DA

Adjustment Date: 02/27/2008 SDIRETA1
04/09/2007 JGAYNOR 00000004 033125 09721806
01 FC:1201 200.00 CR

02/27/2008 SDIRETA1 00000003 020384 09721806
01 FC:1201 200.00 DA